

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

DEFENDANT'S MOTION TO CONTINUE

TO THE HONORABLE XAVIER RODRIGUEZ, UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF TEXAS:

Defendant CODY ALEXANDER STOOPS, by and through his undersigned attorney, files this Motion to Continue, and would show this Honorable Court as follows:

I

This case is currently set for sentencing on September 29, 2017. Counsel for Defendant respectfully requests additional time to complete restitution negotiation and reply to the presentence investigation report addendum that was filed on September 21, 2017. The undersigned respectfully requests a two (2) week continuance.

II

Defendant acknowledges that any continuance granted in this cause is excludable under the Speedy Trial Act as delay resulting from a continuance granted at the request of defense counsel because the ends of justice served by the continuance outweigh the interest of the public in a Speedy Trial. 18 U.S.C. § 3161(h)(7)(A).

FOR THESE REASONS, Mr. Stoops prays this Honorable Court will continue the above-styled and numbered cause for a period of at least two (2) weeks.

Respectfully submitted.

MAUREEN SCOTT FRANCO
Federal Public Defender

/s/ANGELA SAAD LINDSEY
Assistant Federal Public Defender
727 E. César E. Chávez Blvd., Suite B-207
San Antonio, Texas 78206-1205
State Bar No. 24059016
Tel.: 210-472-6700
Fax: 210-472-4454

Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on the 22nd day of September, 2017, I electronically filed the foregoing Defendant's Motion to Continue with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Tracy Thompson
Assistant United States Attorney
601 N. W. Loop 410, Suite 600
San Antonio, Texas 78216

/s/ ANGELA SAAD LINDSEY
Attorney for Defendant

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

ORDER

On this date came on to be considered the Defendant's Motion for Continuance, and the Court having considered the premises, is of the opinion that the same should be and is hereby GRANTED.

It is therefore ORDERED that all corresponding deadlines be continued in the above-styled and numbered cause for a period of two (2) weeks.

It is ORDERED that a new schedule be set by separate order.

The Court finds that, for the reasons set out in the Defendant's motion, the ends of justice served by the continuance granted by this order outweigh the interest of the public in a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A).

SO ORDERED on this the _____ day of September, 2017.

XAVIER RODRIGUEZ
United States District Judge